



Pensions Act 1995

1995 CHAPTER 26

PART I

OCCUPATIONAL PENSIONS

Supervision by the Authority

7 Appointment of trustees.

- (1) Where a trustee of a trust scheme is removed by an order under section 3, [^{F1}by section 3A] or ^{F2}... by reason of his disqualification, the Authority may by order appoint another trustee in his place.
- (2) Where a trustee appointed under subsection (1) is appointed to replace a trustee appointed under [^{F3}section 23(1)], sections 22 to 26 shall apply to the replacement trustee as they apply to a trustee appointed under [^{F3}section 23(1)].
- (3) The Authority may also by order appoint a trustee of a trust scheme where they are satisfied that it is [^{F4}reasonable] to do so in order—
 - (a) to secure that the trustees as a whole have, or exercise, the necessary knowledge and skill for the proper administration of the scheme,
 - (b) to secure that the number of trustees is sufficient for the proper administration of the scheme, ^{F5}...
 - (c) to secure the proper use or application of the assets of the scheme [^{F6}, or
 - (d) otherwise to protect the interests of the generality of the members of the scheme.]
- ^{F7}(4)
- (5) The power to appoint a trustee by an order under this section includes power by such an order—
 - (a) to determine the appropriate number of trustees for the proper administration of the scheme,

Changes to legislation: Pensions Act 1995, Section 7 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) to require a trustee appointed by the order to be paid fees and expenses out of the scheme's resources,
- (c) to provide for the removal or replacement of such a trustee.

[^{F8}(5A) An application may be made to the Authority in relation to a trust scheme by—

- (a) the trustees of the scheme,
- (b) the employer, or
- (c) any member of the scheme,

for the appointment of a trustee of the scheme under subsection (3)(a) or (c).]

- (6) Regulations may make provision about the descriptions of persons who may or may not be appointed trustees under this section.

Textual Amendments

- F1** Words in s. 7(1) inserted (11.9.2014) by Pensions Act 2014 (c. 19), s. 56(1), **Sch. 19 para. 3**; S.I. 2014/2377, art. 2(1)(a)(i)(2)(l)
- F2** Words in s. 7(1) repealed (6.4.2005) by Pensions Act 2004 (c. 35), s. 322(1), Sch. 12 para. 36(a), **Sch. 13**; S.I. 2005/695, art. 2(7), Sch. 1
- F3** Words in s. 7(2) substituted (6.4.2005) by Pensions Act 2004 (c. 35), s. 322(1), **Sch. 12 para. 36(b)**; S.I. 2005/695, art. 2(7), Sch. 1
- F4** Word in s. 7(3) substituted (26.1.2009) by Pensions Act 2008 (c. 30), **ss. 131(1)(a)**, 149(5)
- F5** Word in s. 7(3)(b) repealed (26.1.2009) by Pensions Act 2008 (c. 30), **ss. 131(1)(b)**, 149(5), **Sch. 11 Pt. 6**
- F6** S. 7(3)(d) and preceding word inserted (26.1.2009) by Pensions Act 2008 (c. 30), **ss. 131(1)(c)**, 149(5)
- F7** S. 7(4) repealed (6.4.2005) by Pensions Act 2004 (c. 35), **ss. 35(1)(a)**, 322(1), **Sch. 13** (with s. 313); S.I. 2005/275, art. 2(7), Sch. Pt. 7
- F8** S. 7(5A) inserted (6.4.2005) by Pensions Act 2004 (c. 35), **ss. 35(1)(b)**, 322(1) (with s. 313); S.I. 2005/275, art. 2(7), Sch. Pt. 7

Modifications etc. (not altering text)

- C1** **Ss. 3-11** modified in part (11.11.1999 for specified purposes; 1.10.2000 in so far as not already in force) by the Welfare Reform and Pensions Act 1999 (c. 30), s. 89(5)(a), **Sch. 1 para. 1(1)(2)(b)(i)**; S.I. 2000/1047, art. 2(2)(c), Sch. Pt. III (as amended (6.4.2005) by Pensions Act 2004 (c. 35), s. 322(1), Sch. 12 para. 76(2)(a))

Commencement Information

- I1** S. 7 in force at 6.4.1997 by S.I. 1997/664, art. 2(3), **Sch. Pt. 3**

Changes to legislation:

Pensions Act 1995, Section 7 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 36](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 37(1A)(b) inserted by [2015 c. 8 Sch. 2 para. 7\(b\)](#)
- s. 51(5A)-(5C) inserted by [2015 c. 8 s. 43\(1\)](#)
- s. 51(7A) inserted by [2015 c. 8 s. 41\(1\)\(b\)](#)
- s. 51(9)(10) inserted by [2015 c. 8 s. 42\(3\)](#)
- s. 67A(3)(aa)-(ac) inserted by [2015 c. 8 s. 45\(3\)](#)
- s. 67A(9)(a)(viii)-(x) inserted by [2015 c. 8 s. 45\(6\)\(a\)](#)
- s. 67A(9)(b)(vi)-(viii) inserted by [2015 c. 8 s. 45\(6\)\(b\)](#)
- s. 73(2)(2A) substituted for s. 73(2) by [2015 c. 8 Sch. 2 para. 11](#)
- s. 75(1)-(1B) substituted for s. 75(1) by [2015 c. 8 Sch. 2 para. 12](#)
- s. 175(2)(ca) inserted by [2004 c. 35 s. 240\(2\)](#)
- s. 175(2)(za) inserted by [2015 c. 8 s. 43\(2\)](#)